amends method claim 11 to recite limitations generally corresponding to amended claim 1. Applicant further amends claims 6-8, 10, and 12 to depend from claim 1 and to correct informalities.

Applicant also amends the specification to correct informalities and improve grammar.

In the final Office Action dated April 9, 2003, the Examiner rejected claims 1-4, 6, and 9-12 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,417,854 to Isowaki et al. ("Isowaki"), and rejected claims 5, 7, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Isowaki in view of U.S. Patent No. 5,263,136 to DeAguiar et al. ("DeAguiar").

Applicant respectfully traverses the §102(e) rejection of claims 1-4, 6, and 9-12 because the Examiner failed to establish a *prima facie* case of anticipation under §102(e). In order to properly anticipate Applicant's claimed invention under 35 U.S.C. §102(e), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. §2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. §2131 (8th ed. 2001), p. 2100-69.

The rejection of claims 2-4 is rendered moot by the cancellation of those claims.

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Regarding claim 1, Isowaki discloses an image processing system for preparing a plurality of textures for display on a background image wherein a movable object is present. Specifically, Isowaki discloses dividing texture memory into even, odd, and common blocks to expedite the utilization of texture memory (col. 6, lines 40-48; Fig. 2). Isowaki further discloses showing texture data blocks as they apply to an areas on an entire car race course. The closed-circuit car race course is normally constructed in advance and is used by fetching texture and other data required by a scene accompanying the movement of a movable object in accordance with the development of the game (col. 6, line 64-col. 7, line 6; Fig. 3). Isowaki discloses determining the area on the car race course where a moving object is currently located (S502, Fig. 5), and loading appropriate data from blocks corresponding to the area (col. 8, lines 8-36; Figs. 5, 6 and 7).

Conversely, Isowaki fails to disclose a combination of elements including, at least, "counting means for detecting whether said moving object exists within said areas corresponding to memory blocks storing background data, or an area that exists within the visual field, in said work memory, and counting said moving object or visual field area periodically," and "means for determining the memory block to store said background data based on a count value determined for each of said memory blocks by said counting means when it is judged that there is no vacant space in said work memory," as recited in claim 1. More particularly, Isowaki fails to disclose any feature corresponding to the claimed counting means and determining means of claim 1.

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Accordingly, Applicant respectfully requests the Examiner to withdraw the §102(e) rejection of claim 1. Claims 6, 9-10, and 12 depend from claim 1 and are allowable for at least the reasons provided for allowable claim 1. Claim 11 recites limitations corresponding to those of claim 1 including "detecting whether said moving object exists within any of said plurality of areas corresponding to memory blocks storing background data, or an area that exists within the visual field, in said working memory, and counting said moving object or area periodically" and "determining the memory block to store said read background data based on a count value determined for each of said memory blocks by said counting when it is judged that there is no vacant space in said working memory," which are not present in Isowaki. Therefore claim 11 is allowable for at least the reasons provided for the allowability of claim 1.

Applicant respectfully traverses the §103(a) rejections of claims 5, 7, and 8 to Isowaki because the Examiner failed to establish a *prima facie* case of obviousness under §103(a). In order to maintain a valid §103(a) rejection, each of three requirements must be met. First, the references, taken alone or combined, must teach or suggest each and every element recited in the claims. (See M.P.E.P. §2143.03 (8th ed. 2001).) Second, there must be some suggestion or motivation, either in the reference(s) themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be found in the prior art, and not be based on Applicant's disclosure." (M.P.E.P. § 2143 (8th ed. 2001).)

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Regarding the § 103(a) rejections of claims 7, and 8, the Examiner cites DeAguiar for allegedly teaching a counting means for memory blocks storing background data. The portions of DeAguiar cited by the Examiner disclose updating "the soft uncompressed cache memory usage counter" (col. 38, lines 40-54) and "updating and decrement[ing] the total uncompressed memory usage counter" (col. 42, lines 48-59). DeAguiar further explains that the cache memory usage counter is checked to test whether a cache usage limit is exceeded. The limit is described as setting "a guideline for how much of the image data cache is to be devoted to uncompressed image data." (Col. 37, lines 33-40.)

These features of DeAguiar fail to disclose or suggest the above noted features of claim 1, including "counting means for detecting whether said moving object exists within said areas corresponding to memory blocks storing background data, or an area that exists within the visual field, in said work memory, and counting said moving object or visual field area periodically," and "means for determining the memory block to store said background data based on a count value determined for each of said memory blocks by said counting means when it is judged that there is no vacant space in said work memory." Thus, for example, there is no suggestion in DeAguiar of detecting whether a moving object exists within said areas corresponding to memory blocks storing background data, or an area that exists within the visual field, in said work memory, and counting said moving object or visual field area periodically.

Applicant therefore submits that DeAguiar fails to overcome the deficiencies of Isowaki and fails to disclose or suggest the features of Applicant's claimed invention

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including counting means and determining means as recited in claim 1. Therefore, claims 7 and 8 are allowable at least due to their dependence from claim 1

In view of the above amendments and remarks, Applicants submits that claims 1 and 6-12 are in condition for allowance. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extension of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: July 9, 2003

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